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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/060,057	01/31/2002	Simon Pelly	1509-273	6577

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EXAMINER

HO, ANDY

ART UNIT PAPER NUMBER

2194

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/060,057

Applicant(s)

PELLEY ET AL.

Examiner

Andy Ho

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed 3/14/2005.
2. Claims 1-20 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hausauer U.S Patent No. 5,790,870.

As to claim 1, Hausauer teaches a method of operating a SCSI enabled device (SCSI interface device 116 and its associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3) in response to a parity error message (...when the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by generating an interrupt..., lines 42-46 column 7) coupled over a SCSI enabled bus (buses 194 and 196 connecting SCSI 116, Fig. 3), comprising:

determining whether said SCSI enabled device is in a data transfer state (...the parity error is being detected during the data transaction, however the device is allowed to continue the transaction..., lines 38-46 column 7).

Hausauer does not explicitly teach generating a response message to an initiator device. However, Hausauer teaches (lines 42-46 column 7; lines 59-64 column 9) that after the processor receives the parity error message, it sends out a command to the device in which the previous transferred data needs to be retransmitted. Therefore one of ordinary skill in the art would conclude that the processor's command is a response message to an initiator device since such command allows the data with parity error to be retransmitted.

As to claim 2, Hausauer as modified further teaches the data transfer operation will recommence from the start of the operation (the whole data is being retransmitted, lines 61-64 column 9).

As to claim 3, Hausauer teaches a method of operating a SCSI driver (SCSI interface device 116 and its associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3), comprising:

carrying out a data transfer phase (data transfer, lines 33-34 column 7; data transaction, lines 59-60 column 7);

receiving a parity error message following said data transfer phase (...when the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by generating an interrupt..., lines 42-46 column 7).

Hausauer does not explicitly teach sending a restore data pointer message. However, Hausauer teaches (lines 42-46 column 7; lines 59-64 column 9) that after the processor receives the parity error message, it sends out a command in which certain

Art Unit: 2194

software program needs to be reexecuted and the data needs to be retransmitted.

Therefore one of ordinary skill in the art would conclude that the processor's command is a restore data pointer message since such command makes the software program to be restored to its original executing state and allows the data with parity error to be retransmitted.

As to claim 4, Hausauer as modified further teaches sending a message instructing recommencing the data transfer phrase after sending said restore data pointer message (the data is being retransmitted, lines 61-64 column 9).

As to claim 5, it is a computer device claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 6, it is a computer device driver claim of claim 3. Therefore, it is rejected for the same reasons as claim 3 above. Hausauer as modified further teaches the processor being arranged for recognizing that a parity error message has occurred immediately after a data transfer phase (the processor is being informed of the parity error when it occurs during the data transaction, lines 42-46 column 7).

As to claim 7, it is a computer device driver claim of claim 4. Therefore, it is rejected for the same reasons as claim 4 above.

As to claim 8, it is a computer program of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 9, Hausauer as modified further teaches a CD-ROM (154, Fig. 1); a magnetic data storage medium (110 and 112, Fig. 1).

As to claim 10, it is a computer device claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 11, it is a computer device driver claim of claim 6. Therefore, it is rejected for the same reasons as claim 6 above.

As to claim 12, it is a method claim of claims 1 and 3. Therefore, it is rejected for the same reasons as claims 1 and 3 above. Hausauer as modified further teaches while the peripheral device is so enabled, activating a driver (associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3) coupled with the peripheral device so the driver supplies the peripheral device with a signal sequence including a data transfer phase during which the data are transferred between the host computer device and the peripheral device (...the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by generating an interrupt, among other options..., lines 44-46 column 7), followed by a message phase that includes a message parity error message, the response signal being generated by the peripheral device in response to receipt thereby of the message parity error message (lines 47-63 column 7).

As to claims 13-14, they are method claims of claim 2. Therefore, they are rejected for the same reasons as claim 2 above.

As to claims 15-17, they are apparatus claims of claims 12-14 above, respectively. Therefore, they are rejected for the same reasons as claims 12-14 above.

Art Unit: 2194

As to claims 18-20, they are computer program product claims of claims 12-14 above, respectively. Therefore, they are rejected for the same reasons as claims 12-14 above.

Response to Arguments

4. Applicant's arguments filed 3/14/2005 have been fully considered but they are not persuasive.

Applicant argued that the examiner does not provide specific portion from Hausauer reference that teach SCSI device (Remarks, first complete paragraph page 11 to second paragraph page 12). In response, the examiner clearly discloses in claim 1 rejection above that SCSI 116 of Fig. 3 is the SCSI device as claimed. The applicant further argued that the examiner relies on a rather insignificant portion of Hausauer reference. In response, these portions (lines 44-46 column 7 and line 18 column 8) were cited as supplement support from the reference, while the main portion is SCSI 116 of Fig. 3.

Applicant argued that Hausauer reference does not teach determining if the device is in a data transfer state (Remarks, third and fourth paragraphs page 12). In response, as disclosed in the claim rejection above, a determining has been made (lines 38-46 column 7) whether a transaction can continue or terminated. The reference meets the limitation as claimed.

Applicant argued that Hausauer reference does not teach generating a response message (Remarks, last incomplete paragraph page 12 continue to page 13). In

Art Unit: 2194

response, Hausauer teaches (lines 42-46 column 7; lines 59-64 column 9) that after the processor receives the parity error message, it sends out a command to the device in which the previous transferred data needs to be retransmitted. The applicant further argued there is no mention of SCSI device in the cited portions. Fig. 3 as well as lines 20-46 of column 7 discloses SCSI 116 is part of the discussed portions.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762.

Art Unit: 2194

A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 872 - 9306.
- OFFICAL faxes must be signed and sent to (703) 872 - 9306.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

A.H
June 10, 2005



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